



Montana Department of Transportation
PO Box 201001
Helena, MT 59620-1001

MEMORANDUM

To: See Distribution
From: Kevin Christensen, P.E.
Construction Engineer
Date: October 29, 2008
Subject: Supplemental Specification Addition: 105.03.1, General (Conformity with Plans and Specifications)

The Construction Administration Services Bureau is proposing an addition, Standard Specification 105.03.1, General, following the Standard Specification Revision Process outlined in the Construction Engineer's Memorandum dated May 2008. The following information is provided.

1. Standard Specification 105.03.1, General will be modified.
2. The Proposed Draft of the change is attached along with this memorandum.
3. Revisions to the Standard Specifications are needed to properly define contractor's responsibilities and requirements regarding conformity.
4. Those impacted by the change include:
Construction, Contractors
5. The following individuals were consulted and/or involved in developing the proposed revisions:
CAS, CES Bureau

*It is requested that written comments on **the proposed revisions only**, be returned to mdtspecifications@mt.gov no later than November 28, 2008.*

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105.03.1 General

Perform work and furnish materials to meet the contract requirements.

Provide materials and workmanship uniform in character and meeting the plan dimensions and contract specifications.

When a contract item does not meet the contract requirements but is adequate to serve the design purpose, the Contractor will be notified in writing of the deficiency, and will be given the choice to remove and replace or correct the work at no expense to the Department, or to accept a reduction in the contract unit price. If the Contractor chooses to accept the reduction, the Project Manager, will determine the extent the work will be accepted and remain in place. The Project Manager, may document the basis of acceptance by change order, providing a line item, adjustment in the contract,

When a contract item does not meet the contract requirements resulting in work inadequate to serve the design purpose, remove and replace or correct the work by and at Contractor expense.

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